

ASSEMBLY BILL

No. 2612

Introduced by Committee on Agriculture (Galgiani (Chair), Tom Berryhill (Vice Chair), Conway, Ma, Mendoza, and Yamada)

February 19, 2010

An act to amend Sections 19204, 19220, and 19312 of the Food and Agricultural Code, relating to animals.

LEGISLATIVE COUNSEL'S DIGEST

AB 2612, as introduced, Committee on Agriculture. Slaughtered animals: pet food.

Existing law requires a person engaged in the business of operating a collection center to obtain a license from the Department of Food and Agriculture for each collection center operated. "Collection center" is defined to mean a receiving area for the temporary storage of animal carcasses, packinghouse waste, or other products before transportation to a licensed rendering plant. Existing law makes a violation of these provisions a crime.

This bill, instead, would define "collection center" to mean a receiving area for the temporary storage of animal carcasses, packinghouse waste, or other products before transportation to a licensed rendering plant or pet food processor. Because this bill would change the definition of an existing crime, it would impose a state-mandated local program.

Existing law requires persons engaged in certain businesses, including, among others, rendering, pet food processing, and operating a collection center, to obtain a license from the department. Existing law provides that those licenses are valid for a year from the date of issuance.

This bill, instead, would provide that those licenses shall expire on December 31 of each year.

Existing law requires any person or entity who engages in the transportation of inedible kitchen grease, as defined, to be registered with the department. An applicant for registration as a transporter of inedible kitchen grease is required to include a registration fee of \$100, except for any renderer who registers.

This bill would also exempt a collection center that registers from this registration fee.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 19204 of the Food and Agricultural Code
2 is amended to read:

3 19204. "Collection center" means a receiving area for the
4 temporary storage of animal carcasses, packinghouse waste, or
5 other products before transportation to a licensed rendering plant
6 or pet food processor.

7 SEC. 2. Section 19220 of the Food and Agricultural Code is
8 amended to read:

9 19220. A license *granted under this chapter* shall ~~be valid for~~
10 ~~a year from the date of issuance~~ *expire on December 31 of each*
11 *year*.

12 SEC. 3. Section 19312 of the Food and Agricultural Code is
13 amended to read:

14 19312. (a) Registration shall be made with the department and
15 shall include all of the following:

16 (1) The applicant's name and address.

17 (2) A description of the operations to be performed by the
18 applicant.

19 (3) The vehicles to be used in the transportation.

20 (4) A registration fee of one hundred dollars (\$100).

21 (5) A list of the names of the drivers employed by the transporter
22 who transport inedible kitchen grease subject to this article and
23 their drivers' license numbers.

1 (6) Any other information that may be required by the
2 department.

3 (b) Any ~~renderer who~~ *or collection center that* registers pursuant
4 to this article is not required to pay the fee prescribed in this
5 section.

6 (c) The department may refuse to issue an original or renewal
7 registration certificate to any applicant for which the grounds
8 specified in subdivisions (a) to (e), inclusive, of Section 19314
9 exist.

10 (d) (1) The applicant may appeal the decision of the department
11 to refuse to register the applicant.

12 (2) The department shall establish procedures for the appeals
13 process, to include a noticed hearing.

14 (3) The department may reverse a decision to refuse to register
15 the applicant, upon a finding of good cause to do so.

16 SEC. 4. No reimbursement is required by this act pursuant to
17 Section 6 of Article XIII B of the California Constitution because
18 the only costs that may be incurred by a local agency or school
19 district will be incurred because this act creates a new crime or
20 infraction, eliminates a crime or infraction, or changes the penalty
21 for a crime or infraction, within the meaning of Section 17556 of
22 the Government Code, or changes the definition of a crime within
23 the meaning of Section 6 of Article XIII B of the California
24 Constitution.